

REMARKS

In the Office Action, dated July 9, 2008, the Examiner states that Claims 1-9 are pending, and Claims 1-9 are rejected. By the present Amendment, Applicant amends the claims, and the drawings.

In the Office Action, the drawings are objected to because reference numeral 60 is not shown, and reference numeral 2a is not provided in the description. Figure 6 has been amended to include reference numeral 60. With regard to reference numeral 2a, this reference numeral is provided on page 26, lines 17-20.

In the Office Action, Claims 1-9 are rejected under 35 U.S.C. §112, second paragraph as being indefinite with regard to the word "type". That word has been deleted from the claims. Also, the claims have been amended to remove the multiple dependencies.

In the Office Action, Claims 1-5, 7 and 9 are rejected under 35 U.S.C. §103(a) as being unpatentable over Shinoki et al. (JP 11-105067) in view of Okabe et al. (US 5,257,709). Claim 6 is rejected in further view of Tachi et al. (US 2002/0150706). Claim 8 is rejected in further view of Paciorek et al. (US 3,685,734). The Applicant considers that the amendments to the claims overcome these rejections.

Claims 1-4 have been cancelled, and new claims 10 and 11 have been added. Claim 5 has been amended into independent form.

With regard to Claim 5, the rejection indicates that "Shinoki in view of Okabe discloses all the limitations substantially as claimed, as applied to claims 1, 2, and 3 above, respectfully; further Shinoki teaches the container [Shinoki, 10] is fabricated by using said female metal mold [Shinoki, 3] and metal mold [Shinoki, 4] which are a female metal mold and a male metal mold jointed at the flange part in the formed container [Shinoki, Fig. 2a], and so designed that the flange width of a flange part formed by the female mold is smaller than the flange width of a flange part formed by the male mold [Shinoki, Fig. 2a]".

Indeed, Shinoki's container [Shinoki, 10] is fabricated by using female metal mold [Shinoki, 3] and male metal mold [Shinoki, 4] which are a female metal mold and a male metal mold jointed at the flange part in the formed container [Shinoki, Fig. 2a]. However, the flange width of a flange part formed by the male mold that the rejection considered and the one that the Applicant intended are not the same.

Please see Fig. 3 in the present application. In Fig. 3, the flange width of a flange part formed by the male mold is expressed as the symbol y , and the flange width of a flange part formed by the female mold is expressed as the symbol y' . Namely, the flange width of a flange part formed by the male mold is intended to be the width between the inner end of the flange which is located at a lower side of the flange and the outer end of the flange formed by the male mold, i.e., located at an upper side of the flange. Incidentally, the flange width of a flange part formed by the female mold is intended to be a width between the inner end of the flange which is located at a lower side of the flange and the outer end of the flange formed by the female mold, i.e., located at a lower side of the flange. That is, the inner end as a basing point for measuring the flange width of the flange part formed by the male mold, and the inner end as a basing point for measuring the flange width of the flange part formed by the female mold, are the same. The comparison of widths is improper unless one end for each width is set to be the same position.

As to the flange width of a flange part formed by the male mold, the rejection takes the width between the inner end which is located at an upper side of the flange and the outer end of the flange formed by the male mold, i.e., located at an upper side of the flange.

According to the above criterion as intended, in Shinoki's container, it is clear that the flange width of a flange part formed by the male mold, y , is equal to the flange width of a flange part formed by the female mold, y' .

Therefore, the point that the flange width of a flange part formed by the female mold is smaller than the flange width of a flange part formed by the male mold is not disclosed and not suggested in Shinoki. The effects and functions brought by this constitution are not disclosed and not suggested in Shinoki. Thus, the subject matter of Claim 5 is not considered obvious over Shinoki et al in view of Okabe et al.

Incidentally, with respect to Claim 9, the rejection indicates "Okabe teaches the fluid length (L) of the injected molten resin and the average wall thickness (t) of the container is: $L/t \leq 250$ [Okabe, Col. 10, Lines 3-9]. With the length of the container appearing to be 55mm, and the thickness appearing to be 1.1 mm, the ration of the length to the thickness is approximately 50." However, the length of the container that the rejection indicates is not identical with and not particularly related to the fluid length (L). The fluid length is a moving distance of fused resin within the

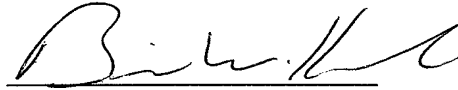
mold measured from the inlet of fused resin which is provided to the mold. Even if the length of the container is 55mm, when only one inlet of fused resin is provided to the mold, the fluid length may be several times larger than 55 mm. Thus, the rejection based upon this point is unreasonable.

In light of the foregoing response, all the outstanding objections and rejections are considered overcome. Applicant respectfully submits that this application should now be in condition for allowance and respectfully requests favorable consideration.

Respectfully submitted,

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Date



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